



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: February 1, 2011

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Acceptance Of Easement For Realigned Water Main And Summary
Vacation Of Old Easement At El Encanto Hotel

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Easement for Water Mains on a Portion of the Real Property Commonly Known as 1900 Lasuen Road, Santa Barbara County Assessor's Parcel No. 019-170-022, and Adopting an Order Summarily Vacating and Abandoning the Existing Superseded Easement for Water Pipelines, Both Within the Limits of Said City.

DISCUSSION:

The real property commonly known as El Encanto Hotel (Hotel), located at 1900 Lasuen Road, APN 019-170-022, (Attachment 1), is owned by El Encanto, Inc., a Delaware Corporation. The Hotel site is presently undergoing construction of various improvements, as approved by the City under its 2004 approved Master Plan.

As shown on Attachment 2, the project at the Hotel also includes construction of a new City water main, extending easterly in Mission Ridge Road, and southerly to and within the private road known as Mira Vista Avenue. The new City water main will allow abandonment of the old City water main that crosses a substantial middle portion of the site of the Hotel, located within an easement (ten feet wide) granted to the City in 1923. The new City water main is designed in a more compatible alignment than the old water main in order make way for approved onsite improvements at the Hotel.

In order to provide for the City's use, maintenance, and repair of the new realigned water main, the owner has executed and delivered a Waterline Easement Deed to the City for acceptance. As shown on Attachment 3, a portion of the new easement (twenty feet wide) is located on and along the easterly boundary of the Hotel, extending from Mission Ridge Road to private Mira Vista Avenue. The remaining portion of the new easement (thirty feet wide) continues easterly along Mira Vista Avenue.

The Resolution recommended herein will demonstrate the City's acceptance of the easement for the new City water main, and it will authorize recordation of the Waterline Easement Deed in the Official Records.

The proffered Waterline Easement Deed contains various covenants, conditions, and restrictions (restrictive covenants) that relate to the Hotel and its topography. The restrictive covenants generally include the City's right to restrict or remove any trees, vegetation, and obstructions that may interfere with the water main and facilities located within the easement. They also include restrictions on the location and size of certain types of trees and vegetation within the easement, except for certain approved plantings along the boundary of the Hotel to provide visual screening.

Because the new water main will replace the old City water main, the City's easement that provided for the abandoned water main is no longer necessary. Therefore, the old easement may be summarily vacated in accordance with applicable portions of the California Streets and Highways Code (Vacation Law).

The proposed Resolution recommended herein will also accomplish the City's summary vacation of the superseded easement.

ATTACHMENTS:

1. Site of El Encanto Hotel, 1900 Lasuen Road
2. Locations of New and Old Water Mains
3. Location of New Easement for Waterlines

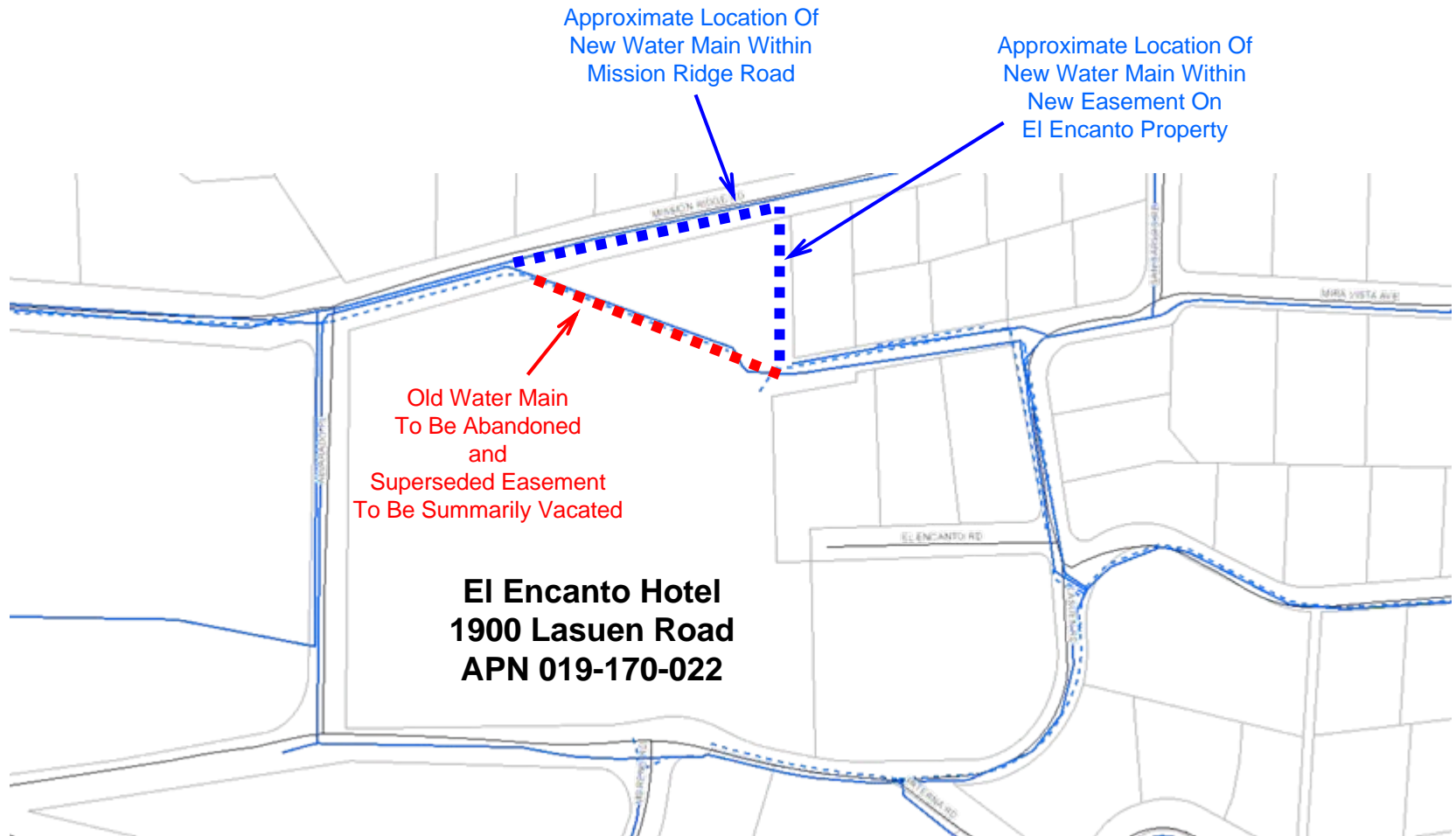
PREPARED BY: Pat Kelly, Assistant Public Works Director/City Engineer/DI/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



Site of El Encanto Hotel, 1900 Lasuen Road



Locations of New and Old Water Mains

MISSION RIDGE ROAD

N76°58'00"E
20.37'

S2°03'00"E 198.74'

S2°03'00"E 169.38'

POINT OF
BEGINNING

N79°38'00"E 258.11'

MIRA VISTA AVENUE (PRIVATE)

S79°38'00"W 282.71'

10°22'00"E
30.00'

SCALE IN FEET

DATE SIGNED 6-15-10

LOCATION OF NEW EASEMENT FOR WATERLINES